

TERM OF COMMISSION: February Session of the February Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper  
District I Commissioner Karen M. Miller  
District II Commissioner Linda Vogt  
Deputy County Clerk Michelle Malaby  
County Counselor John Patton

The regular meeting of the County Commission was called to order at 7:02 p.m.

**SUBJECT: Request by Frank and Mildred Elkin to rezone from A-1 (Agriculture) to A-R (Agriculture-Residential) 72.12 acres, more or less, located at 8501 E. Owens School Road, Hallsville.**

Director of Planning and Building Inspection Stan Shawver reported the site is located approximately one third mile east of Hallsville on Owens School Road. Property to the north is zoned A-1, to the east and south A-2, and to the west A-R. There is a barn and several ponds on the property. The land is fenced and used for livestock. No additional uses are proposed at this time. The 1973 Comprehensive Plan designates the area as suitable for rural residential use, as does the 85 percent complete submission of the 1996 Comprehensive Plan. There have been no previous rezoning requests submitted for the tract. The area is served by a four inch water line along Level Road and a three inch water line along State Highway OO. Water District No. 4 indicated minimum residential fire flows can be met in this area. The property is one quarter mile from Hallsville, is in the Hallsville R-4 School District, and is one mile from the nearest fire station. There is an insignificant amount of flood plain at the northeast corner of the property. It is not in a designated sink hole area. Road access to the property is by way of a state maintained blacktop highway and by county maintained gravel surfaced roads. No existing centralized sewer systems are available at the site. The property has 57 points on the point rating scale and is in the Hallsville urban service area. Staff notified 28 property owners concerning this request. After a public hearing at the February 15, 1996 meeting of the Planning and Zoning Commission, they voted unanimously to recommend approval.

The applicant was present, but had no additional comment.

Commissioner Stamper opened the public hearing. There was no response.

Commissioner Vogt moved that the County Commission of the County of Boone approve a request by Frank and Mildred Elkin to rezone from A-1 (Agriculture) to A-R (Agriculture-Residential), 72.12 acres, more or less, located at 8501 E. Owens School Road, Hallsville.

Commissioner Miller seconded the motion. Motion passed unanimously. Order 122-96.

**SUBJECT: Request by Richard Eusebeus Allen to rezone from A-1 (Agriculture) to A-2 (Agriculture) 11.75 acres, more or less, located at 6151 N. Liddell Lane, Columbia**

Mr. Shawver reported the property is located on Liddell Lane, approximately 2.5 miles northeast of the City of Columbia. The site encompasses the corner of Liddell Lane and Mt. Hope Road. Property to the east is zoned A-1. Property to the north, west and south is zoned A-2. Current land use consists of two single family dwellings. The applicant intends to subdivide the property into smaller tracts for his family. The 1973 Comprehensive Plan designates the area as suitable for agricultural and rural residential land use. The 85 percent complete draft of the 1996 Comprehensive Plan designates the area as suitable for similar use. The applicant owns the adjacent 38.25 acre tract to the west, which is separated from the subject tract by the range line dividing Range 11 from Range 12. This range line also divides the A-1 and A-2 zoning districts in the area. The site is in Boone Electric Cooperative's service area. Sewage is handled by on-site lagoons. Although the site is located in Water District No. 9, they have no water main lines close to the site. Water District No. 2 agreed to provide service from a two inch water main line south of the property. The water meter will remain inside Water District No. 2 with a long private

service line serving the property. There are no gas main lines in the area. The point rating system value for the property is 30. In 1991, a 7.25 acre tract to the south was rezoned from A-1 to A-2. That tract is owned by Michael Cunningham. Staff notified 11 property owners. The Planning and Zoning Commission voted unanimously to recommend approval of the request.

The applicant was present, but had no additional comment.

Commissioner Stamper opened the public hearing. There was no response.

Commissioner Miller moved that the County Commission of the County of Boone approve a request by Richard Eusebeus Allen to rezone from A-1 (Agriculture) to A-2 (Agriculture), 11.75 acres, more or less, located at 6151 N. Liddell Lane, Columbia.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 123-96.

**SUBJECT: Bassett Furniture Plat 1, Final Plat. Located in S7-T48-R11W. Zoned C-GP (Final Development Plan approved December 21, 1995). Pete Kemper, owner. Nathan Lacy, surveyor.**

Commissioner Vogt moved that the County Commission of the County of Boone receive, accept, and authorize the Presiding Commissioner to sign the final plat of Bassett Furniture, Plat 1, located in S7-T48-R11W, and zoned C-GP. Pete Kemper is the owner. Nathan Lacy is the surveyor.

Commissioner Miller seconded the motion. Motion passed unanimously. Order 124-96.

**SUBJECT: County Downes Subdivision, Block VI, Final Plat**

Mr. Shawver stated the plat consists of 14 lots.

Commissioner Vogt moved that the County Commission of the County of Boone receive, accept, and authorize the Presiding Commissioner to sign the final plat of County Downes Subdivision, Block VI.

Commissioner Miller seconded the motion. Motion passed unanimously. Order 125-96.

**SUBJECT: Award Bid 2-09JAN96 and Bid 15-06FEB96, Electric Hot Water Boiler and Parts**

Commissioner Stamper moved that the County Commission of the County of Boone award bid 2-09JAN96, Electric Hot Water Boiler and Parts, as follows: Part B to Columbia Welding and Part C to Crescent Electric. The County Commission of the County of Boone does hereby award bid 15-06FEB96, Electric Hot Water Boiler and Parts, to Hughes Machinery Company. The County Commission does hereby approve, and authorize the Presiding Commissioner to sign the attached contracts with Columbia Welding, Crescent Electric and Hughes Machinery Company.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 126-96.

**SUBJECT: Vote to Authorize Closed Meeting on February 27, 1996**

Commissioner Miller moved that the County Commission of the County of Boone authorize a closed meeting immediately following the regular County Commission meeting on February 27, 1996 as authorized by section 610.021 (1) RSMo., to discuss legal actions, causes of action, or litigation involving a public governmental body and any confidential or privileged communication between a public governmental body or its representatives and its attorneys.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 127-96.

**SUBJECT: Reports from Commissioners**

Commissioner Stamper reported Auditor June Pitchford advised the commission of a change made by the Internal Revenue Service to increase the mileage reimbursement allowance to 31 cents per mile, a four percent increase.

Following discussion, the commission agreed not to change the rate during this budget year. The increased rate can be considered for next year.

Commissioner Stamper stated the City of Columbia Office of Cultural Affairs proposes a public art project which would result in the placement of a sculpture on the Courthouse Square.

Commissioner Stamper moved that the County Commission of the County of Boone approve a draft proposal prepared by the City of Columbia Office of Cultural Affairs for the selection and exhibition of public art on the Courthouse Square, provided the design is consistent with, and complimentary to, the elements of the Square, and provided District II Commissioner Linda Vogt be designated to represent the county on the selection committee.

Commissioner Miller seconded the motion. Motion passed unanimously. Order 128-96.

The commission agreed they do not object to an agreement proposed by the City of Columbia for the selection of an architect to study the feasibility of locating the Health Department in the Phillips building or the Boone Retirement Center facility adjacent to Boone Hospital Center.

Commissioner Stamper stated he met with homeowners on Southern Hills Drive. They want to put a firm surface on their gravel cul-de-sac and have the county maintain it. The county set a precedent with a road in Country Farms by allowing a chip and seal surface to be placed on the road. The county applied an overlay on that road this year. The commission needs to decide whether to honor the precedent or call it a one time episode and create a policy on handling such requests.

**SUBJECT: Public Comment**

Larry Berve, 2061 S. Alamos Place, stated Sonora Drive, El Chaparral, and Alamos Place in El Chaparral Subdivision need to be repaired. The roads are falling apart.

Commissioner Stamper and Commissioner Vogt advised Mr. Berve the county has performed quite a bit of work on the subdivision roads.

Following discussion of the condition of the roads, Commissioner Stamper agreed to request Public Works Director Frank Abart evaluate the roads and report to the commission by mid March. The commission will then contact Mr. Berve. Commissioner Vogt agreed to meet Mr. Berve in the subdivision to look at the roads.

Mr. and Mrs. Richard Sorrels, 1502 N Lake of the Woods Road, stated they have questions about the proposed Pin Oak Neighborhood Improvement District.

Mr. Patton suggested they attend the public hearing scheduled for Thursday. Engineers will be present at the hearing to answer questions.

**SUBJECT: Authorization to Incur Reimbursable Expenses for Legal Research**

Mr. Patton requested authorization to incur, as a reimbursable expense, direct costs for legal research for the cases he is working on behalf of the county.

In response to a question from Commissioner Stamper, Mr. Patton replied the cost will likely be less than one thousand dollars.

Commissioner Vogt moved that the County Commission of the County of Boone authorize County Counselor to incur reimbursable expenses for contracted legal research.

Commissioner Miller seconded the motion, questioning whether a cap should be placed on the amount.

Mr. Patton stated he should know the amount before the end of the month. If the commission is unhappy with the amount he will absorb the expense. He cannot predict the amount of research which will be necessary.

Motion passed unanimously. Order 129-96.

The meeting adjourned at 7:37 p.m.

Attest:

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Don Stamper  
Presiding Commissioner

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Wendy S. Noren  
Clerk of the County Commission

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Karen M. Miller  
District I Commissioner

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Linda Vogt  
District II Commissioner